

REMARKS

Claims 1-32 are pending in the application. Applicant has amended claims 1, 9, 11, 16 and 22 and cancelled claim 5 herein. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

Applicant submits that support for the claim amendments is found in the specification, claims, and figures. Accordingly, applicant submits that no new matter has been introduced by the claim amendments. Further, applicant submits that the claim amendments are submitted to clarify the invention and are not submitted to overcome the cited art of record. Accordingly, applicant submits that the claim amendments can be properly entered by the Examiner.

Claims 1-31 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the claims of co-pending application number 10/063064, which is now U.S. Patent No. 7,286,866. Applicant has submitted herewith a terminal disclaimer to obviate the foregoing rejection.

Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, the Examiner indicated that it is unclear as to how one identifies the landmarks on the interventional system. Applicant has amended independent claims 1, 9, 16 and 22 to recite more definite language. For example, claim 1 has been amended to recite: "identifying one or more anatomical landmarks on said 3D model and inserting corresponding geometric markers thereat, utilizing user input at an operator console." Accordingly, claim 1 as amended now recites definite language indicating how the landmarks are identified. Further, claims 9, 16 and 22 have been amended utilizing similar language.

The Examiner further indicated that it was unclear as to how one registers the views on an interventional system using the geometric markers. Applicant has amended independent claims 1, 9, 16 and 22 to remove the words "using said geometric markers." Accordingly, claims 1, 9, 16 and 22 as amended utilizes definite language.

Because independent claims 1, 9, 16 and 22, as amended, recite definite language, and claims 2-4, 6-8, 10-15, 17-21 and 23-31 which depend from one of claims 1, 9, 16 and 22 recite definite language, applicant requests that the Examiner withdraw the rejection of claims 1-31 under 35 U.S.C. 112, second paragraph.

If the Examiner has any questions regarding the presently submitted response document, Applicant's attorney respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention. If there are any additional charges with respect to this response or otherwise, please charge them to Deposit Account No. 07-0845.

Respectfully submitted,

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